

ENTERED
7-1-5

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

CASE NO. 05-94331

Lisa W. Bridgers,

CHAPTER ~~13~~ 11

Debtor.

JUDGE MASSEY

ORDER MODIFYING AUTOMATIC STAY AND NOTICE TO DEBTOR
CONCERNING THE LACK OF HER SIGNATURE ON HER PETITION

The petition initiating this case was filed not by Lisa W. Bridgers but by Andre Bridgers, as shown on the petition. Mr. Bridgers has previously filed a case in this Court under case no. 05-90746, which the Court dismissed with prejudice in an order entered in that case on March 24, 2005. Lisa Bridgers' name is printed in the signature line of the petition apparently by Mr. Bridgers. She has not signed the petition. Rule 9011(a) provides:

(a) Signature

Every petition, pleading, written motion, and other paper, except a list, schedule, or statement, or amendments thereto, shall be signed by at least one attorney of record in the attorney's individual name. A party who is not represented by an attorney shall sign all papers. Each paper shall state the signer's address and telephone number, if any. An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party.

Unless Lisa Bridgers appears at the Office of the Clerk of this Court on or before July 8, 2005 with proof of her identity such as a driver's license and signs the petition in the presence of a deputy clerk, the Court will dismiss this case based on her failure to sign the petition.

Because the petition has not been signed by the Debtor and because it was presented by Andre Bridgers, who is not eligible to be a debtor in this Court at this time, it appears to the Court that this bankruptcy case may be void or may have been filed in bad faith. Accordingly, the Court will modify the stay to permit creditors to foreclose on property of Lisa Bridgers but not to record a deed under power or other transfer document pending further Order of the Court.

Accordingly, it is

ORDERED and NOTICE IS HEREBY GIVEN that Lisa W. Bridgers must appear promptly before a deputy clerk of this Court no later than July 8, 2005 with proof of identity and sign the petition filed in this case. If Lisa W. Bridgers fails to promptly sign the petition as set forth in this Order, the Court will dismiss this case and annul the stay retroactively to the date and time of filing. It is

FURTHER ORDERED that the automatic stay imposed in this case pursuant to 11 U.S.C. § 362(a) is modified to permit any creditor of Lisa W. Bridgers to foreclose on any property in which she has an interest but not to complete a foreclosure sale such as by recording a deed under power without a further order of this Court terminating the stay.

Dated: July 1, 2005.


JAMES E. MASSEY
U.S. BANKRUPTCY JUDGE